

One example is Americans for Prosperity—a Koch brothers' venture—disclosed election spending of \$6.4 million to the FEC for last year's midterm elections, but that group's own officials have boasted that the real number is as much as \$130 million—\$130 million in just one election by just one group. It is that kind of extravagant spending which has bought the Koch brothers a vast political network, with employees in critical States, with voter bases tied into our consumer data, with advertising and media-buying specialists. Indeed, that sophisticated Koch brothers electioneering capacity has now been reported in the general media to rival or exceed that of the Republican National Committee. Think about that. A few very wealthy individuals in the fossil fuel business—huge polluters—are now such big players in our politics that they rival our national parties. It is small wonder that it is hard to have an honest conversation about carbon pollution in the Senate.

Most of it is hidden. The Washington Post has reported that at least 31 percent of all independent spending in the 2014 elections—which were, by the way, the most expensive midterm elections in American history. At least 31 percent of that was spent by groups not required to disclose their donors. The Washington Post also noted that the 31 percent doesn't even include those issue ads. They are also not disclosed. So we don't know fully how bad the influence of the fossil fuel polluters is, but we sure know it is bad.

Interestingly, the same Supreme Court that decided *Citizens United* as a part of that decision decided by a margin of 8 to 1 that disclosure of outside spending was necessary and appropriate. The majority said this, and I will quote the decision:

Prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable . . .

These intervening 5 years have seen a concerted effort to prevent and frustrate disclosure. Dark money spending by so-called independent groups with no disclosure requirements has more than doubled since 2010.

Ludicrous factfinding by the Court's five conservative activists concluded that corporate spending could not ever corrupt elections. It is laughable on its face, but that laughable conclusion also overlooks a very clear fact: limitless, untraceable political money doesn't even have to be spent to corrupt our democracy. It can corrupt through the threat of spending or through the promise of spending. What *Citizens United* gave corporations and their political instruments the power to do, it also gave them the power to

threaten or promise to do, and we in the public will never see those back-room corporate threats and promises or the deals that result. The candidate will know, the special interests will know, but the public will be the ones left in the dark.

Some lobby groups are a little bolder. The Koch-backed Americans for Prosperity openly promised to wipe out candidates who support curbs on carbon pollution. The group's president said if the Republicans support a carbon tax or climate regulations, they would "be at a severe disadvantage in the Republican nomination process. . . . We would absolutely make that a crucial issue."

The threat is plain. Step out of line and here come the attack ads and the primary challengers—all funded by the deep pockets of the fossil fuel industry, enabled by *Citizens United* and largely protected from disclosure, so the public cannot see what is going on.

The effect of *Citizens United* has been particularly clear in the Senate. There once was an active heartbeat of Republican activity on climate change. Senator MCCAIN ran for President on an active, robust program of addressing climate change. Senator COLLINS did a bipartisan bill on climate change. Senator KIRK voted in the House for the Waxman-Markey cap-and-trade bill. Senator FLAKE wrote articles supporting a carbon fee as long as the taxes were reduced elsewhere to offset the increased revenue from the carbon fee and on and on. My first exposure to this was the Warner-Lieberman bill and the Warner was Republican Senator John Warner.

That has been a while. Since 2010, the year *Citizens United* was decided, this honest debate about how we address this problem for the benefit of the American people has flat-lined. Since 2010 the climate evidence has only become stronger. NASA and NOAA just officially declared 2014 the hottest year ever recorded—ever—easily breaking the previous records, the agencies say.

But as the climate alarm bells grow louder, as the Earth sends her signals to us through our scientists' measurements about what has happened to the oceans, measuring the acidification of the oceans, about what is happening in our atmosphere, measuring the carbon concentrations in the atmosphere—as all that information has advanced, there has been just silence in this building since then. Instead of talking about what carbon pollution is doing to our atmosphere and oceans, instead, No. 1, the first agenda of the new majority: We are talking about letting polluters pump more tar sands crude, one of the most toxic fossil fuels on the planet, out onto the global market. *Citizens United* did not enhance speech

in our democracy. Instead it allowed wealthy special interests to suppress and silence real debate.

So I have filed an amendment to the Keystone bill to see what corporate influence pervades this effort. My amendment would require any company that stands to make over \$1 billion from the pipeline or from the development of the tar sands to disclose its campaign spending over \$10,000 from the last election cycle and going forward. The public needs to be able to connect the dots.

I am also reintroducing the general disclosure act, called the DISCLOSE Act, to require all groups spending on elections to report their large expenditures and their high-dollar donors. The Supreme Court has said we cannot keep corporate interests from meddling in our popular elections. They are people, too, now. So now that the corporations are people, too, let's at least show the voters who it is who is trying to sway their votes. It is a pretty simple idea. It is what the Supreme Court Justices themselves prescribed, and it is an idea that Republicans over and over and over have supported in the past.

The fact we must face in the Senate is that polluter money has polluted our democracy, just as their carbon pollution has polluted our atmosphere and oceans. So it is time to disclose. On climate change where we have an overwhelming scientific consensus, where we have the American people, majorities of Democrats and Republicans, supporting strong congressional action on climate, where we have American businesses small and large that see the folly of ignoring the looming risk, and where we have the national security community, our Armed Forces actively preparing to face the threat climate change poses to American safety and international stability—here, by the way, just as an example, is the Department of the Army's high-level climate change vulnerability assessment. I don't think they are kidding us and I don't think they are part of a hoax.

Mr. President, I thank you for your patience this evening and I will conclude with the remark that I ordinarily conclude these speeches with: It is time to wake up.

I yield the floor.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:58 p.m., adjourned until Thursday, January 22, 2015, at 9:30 a.m.